



GREGORY HILTON,
CLERK

Court of Special Appeals

Robert C. Murphy Courts of Appeal Building
361 Rowe Boulevard
Annapolis, Maryland 21401-1699

(410)260-1450 WASHINGTON AREA 1-888-200-7444

BRIEFING NOTICE

Boisey Neal v. State of Maryland
Case Number: CSA-REG-0590-2020
Circuit Court Number: 207255049-51
Date: 10/20/2020

Dear Counsel and Parties:

The record on appeal was received and docketed on October 19, 2020.

Pursuant to the July 28, 2020 Administrative Order of the Chief Judge of the Court of Special Appeals, the appellant may file an informal brief that complies substantially with the guidelines for informal briefing and the form enclosed with this notice. If the appellant chooses to file a formal brief, it must comply with Maryland Rules 8-502 through 8-504. The appellant's brief shall be filed on or before November 30, 2020.

If the appellant files an informal brief, the appellee may choose to file an informal brief, or may instead file a formal brief that complies with Maryland Rules 8-502 through 8-504. The appellee's brief shall be filed on or before the 30th day after the filing of the appellant's brief.

An appellant who filed an informal opening brief may file an informal reply brief to respond to any new issues raised in the appellee's brief. Any informal reply brief shall be filed on or before the 20th day after the filing of the appellee's brief.

A handwritten signature in cursive script that reads "Gregory Hilton".

Gregory Hilton, Clerk

IN THE COURT OF SPECIAL APPEALS OF MARYLAND

ADMINISTRATIVE ORDER

As authorized by Maryland Rule 8-502(a)(9), effective August 1, 2020, informal briefing is permitted, but not required, for any appeal in which no appellant is represented (or is required to be represented¹) by an attorney in the following categories of cases:

- cases filed by incarcerated individuals; and
- foreclosure cases.

The Court may authorize informal briefing in other cases in which one or more parties is not represented by an attorney on motion filed by any party.

Informal briefs shall comply substantially with the Guidelines for Informal Briefs and form informal briefs appended to this Administrative Order. The Clerk shall post this Order and the attached Guidelines and forms on the Court of Special Appeals's website and make copies available in the Office of the Clerk. In any case to which this Order applies, the Clerk shall send a copy of this Order and the attached Guidelines and forms to all parties, along with the briefing notice required by Maryland Rule 8-412(c). In any case in which the Court determines that formal briefing is required to decide the issues raised, regardless of whether an informal brief has been filed, the Court may require

¹ Pursuant to Maryland Rule 8-402(a)(2), "a person other than an individual may enter an appearance only by an attorney."

formal briefing in compliance with Maryland Rules 8-501 through 8-504. If the Court requires formal briefing, the Clerk shall issue a notice to the appellant to file a formal brief and provide the date that the formal brief is due.

It is so ordered this 28th day of July 2020.



/s/ Matthew J. Fader

Matthew J. Fader, Chief Judge

Guidelines for Informal Briefs

(a) **Applicability.** In cases designated by the Court of Special Appeals's July 28, 2020 Administrative Order, an appellant may file an informal brief in lieu of a brief and record extract conforming to Maryland Rules 8-501 through 8-504. The appellant may, but is not required to, file an informal reply brief. If an appellant chooses to file an informal brief, an appellee may choose to file an informal brief or a brief complying with Rules 8-502 through 8-504.

(b) **Style and Form of an Informal Brief.**

- (1) Informal opening and response briefs shall comply substantially with the informal brief format provided by the Clerk with the briefing notice. There is no particular form required for an informal reply brief.
- (2) In the informal brief, the appellant must identify issues that explain why the trial court erred or made a mistake in deciding the case and why the decision should be reversed or modified. The issues presented in the informal brief should be stated concisely with a description of the facts surrounding the issue and an argument supporting the resolution of the issue.
- (3) Any issue not raised specifically in an informal brief may not be considered by the Court. Although space is provided to identify 3 issues, you do not need to have that many issues. If you have more than 3 issues, attach additional pages containing those issues. However, the length of the informal brief itself shall not exceed 15 pages. The 15-page limit does not include any parts of the record (such as exhibits, transcripts, pleadings, orders, decisions, etc.) that are

attached to the brief. The length of an informal reply brief shall not exceed 5 pages in length.

(4) Fill out the informal brief by responding to each question.

(5) The pages of the informal brief must be numbered consecutively.

(6) An informal brief may be typewritten or handwritten as long as the writing is legible.

(7) While the parties may cite authorities (case law, statutes, regulations, etc.) in support of their arguments, they are not required to do so.

(8) A party filing an informal brief may attach and refer to relevant documents that are contained in the record, such as exhibits, transcripts, pleadings, orders, decisions, etc.

(c) **Time for Filing.** The appellant's informal brief is due 40 days after the Clerk sends notice of the receipt of the record. Rule 8-412(c). The due date for the appellant's brief will be stated in the notice. The appellee's brief is due 30 days after the filing of the appellant's brief. A request for extension of time must be filed at least five days before the due date to permit the Court to have time to decide whether to grant the extension.

(d) **Copies and Service.** Two copies of an informal brief must be filed with the Clerk by the due date. The Clerk's address is:

Clerk, Court of Special Appeals
361 Rowe Blvd.
Annapolis, MD 21401

A copy must also be served on all opposing parties or their attorneys (if any) and the brief must contain the certificate of service required by Rule 1-323 showing the name and address of the party or attorney you are serving and the date and manner of service. For appeals arising out of criminal cases, one copy of the brief should be mailed to the Attorney General at:

Attorney General of Maryland
Criminal Appeals Division
200 St. Paul Place
Baltimore, MD 21202-2021

Inmates in a correctional facility must complete the certification on page 6 of the informal brief or to have the benefit of Rule 1-322(d) (the “prison mailbox rule”).

IN THE COURT OF SPECIAL APPEALS

No. 0590, September Term, 2020

_____ v. _____
Appellant **Appellee**

INFORMAL BRIEF OF THE APPELLANT

**Please refer to the Guidelines for Informal Briefs provided
with this form for instructions on how to fill out this form.**

1. A. Identify the dates of each order, judgment, or decision from which you are appealing? _____

- B. What is the date that you filed your notice of appeal? _____

2. **Issues that you would like the Court of Special Appeals to review.** Either in the following space or on additional pages attached to this informal brief (no more than 15 pages), identify the issues that you would like the Court of Special Appeals to consider, identify the facts relating to those issues, and identify your argument in support of the resolution of those issues. When referencing facts, identify where the facts can be located in the record (in other words, exhibits, transcripts, pleadings, orders, decisions, etc.). You may cite case law, statutes, or other authorities, but you are not required to do so. You may attach any relevant documents from the record.

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[illegible]

Issue 3.

Supporting Facts and Argument:

[illegible]

3. **Relief Requested.** Identify the action you would like the Court of Special Appeals to take (reverse the judgment, vacate the judgment, remand the case to the circuit court, etc.):

4. **Related Cases or Appeals.** Identify all prior appeals from this circuit court case or any related case. Provide the case name, case number, and the outcome of the appeal.

Signature

Printed Name

Address

CERTIFICATE OF SERVICE

I certify that on _____ (date) I served a complete copy of this Informal Brief on all parties by mailing it to the address shown below:

Signature

***Please note:** If the Certificate of Service is not completed, this filing will not be accepted. If you do not serve the other party or parties in this case, this filing may be stricken and the appeal dismissed.*

IF YOU ARE AN INMATE IN A CORRECTIONAL FACILITY FILL OUT THIS CERTIFICATE

CERTIFICATE OF FILING (Md. Rule 1-322)

I, _____ (name), certify that (1) I am involuntarily confined in _____ (name of facility); I have no direct access to the U.S. Postal Service or to a permitted means of electronically filing the attached pleading or paper; (3) on _____ (date) at approximately _____ (time) I personally [☐] deposited the attached pleading or paper for mailing in a receptacle designated by the facility for outgoing mail or [☐] delivered it to an employee of the facility authorized by the facility to collect outgoing mail; and (4) the item was in mailable form and had the correct postage on it.

I solemnly affirm this _____ day of _____ 2020, under the penalty of perjury and upon personal knowledge that the foregoing statements are true.

Signature

IN THE COURT OF SPECIAL APPEALS

No. 0590, September Term, 2020

_____ v. _____

Appellant

Appellee

INFORMAL BRIEF OF THE APPELLEE

**Please refer to the Guidelines for Informal Briefs provided
with this form for instructions on how to fill out this form.**

1. **Respond to the issue or issues raised by the appellant.** Either in the following space or on additional pages attached to this informal brief (no more than 15 pages total), respond to the issues raised by the appellant, identify the facts relating to those issues, and identify your argument in support of the resolution of those issues. When referencing facts, identify where the facts can be located in the record (in other words, exhibits, transcripts, pleadings, orders, decisions, etc.). You may cite case law, statutes, or other authorities, but you are not required to do so. You may attach any relevant documents from the record.

(SEE NEXT PAGE)

Issue 1.

Supporting Facts and Argument:

[illegible]

Issue 2.

Supporting Facts and Argument:

[illegible]

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2. **Relief Requested.** Identify the action you would like the Court of Special Appeals to take (reverse the judgment, vacate the judgment, remand the case to the circuit court, etc.):

3. **Related Cases or Appeals.** Identify all prior appeals from this circuit court case or any related case. Provide the case name, case number, and the outcome of the appeal.

Signature

Printed Name

Address

CERTIFICATE OF SERVICE

I certify that on _____ (date) I served a complete copy of this Informal Brief on all parties by mailing it to the address shown below:

Signature

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I solemnly affirm this _____ day of _____ 2020, under the penalty of perjury and upon personal knowledge that the foregoing statements are true.

Signature